

REMARKS

In the Office Action mailed June 24, 2004, the Examiner noted that claims 1-22 were pending, objected to claims 4-9 and 19-22 and rejected claims 1-3 and 10-18. Claims 1, 4, 5, 10, 18, 19, 20 and 21 have been amended, and, thus, in view of the forgoing claims 1-22 remain pending for reconsideration which is requested. No new matter has been added. The Examiner's rejections and objections are traversed below.

In the Office Action the Examiner rejected claims 10-17 under 35 U.S.C. section 112 paragraph 2 as indefinite. These claims have been amended in consideration of the Examiner's comments and it is submitted they satisfy the requirements of the statute. Claims 20 and 21 have also had a typographical error corrected. If additional concerns with the claims arise, the Examiner is invited to telephone to resolve the same. Suggestions by the Examiner are also welcome. Withdrawal of the rejection is requested.

In the Office Action the Examiner objected to claims 4-9 and 19-22 and indicated that these claims would be allowable if rewritten in independent form. These claims have been so rewritten and it is submitted that these claims have not been narrowed and have the same scope as prior to being made independent and are now allowable. Withdrawal of the objection is requested.

On page 3 of the Office Action, the Examiner rejected claims 1 and 18 under 35 U.S.C. § 102 as anticipated by Klein. Page 4 of the Office Action rejects claims 2, 3, 10 and 11 under 35 U.S.C. § 103 over Klein and the alleged admitted prior art.

Klein is directed to a system that transmits an error message over a computer network based on a various tests. For example, the system sends an alarm when the chassis of the machine is opened. As another example, the system monitors the power supply limits and transmits a message when a power limit is exceeded.

In contrast, the present invention includes a "trouble monitoring unit" that monitors for trouble in the "start processing unit" and a "trouble notification unit" that transmits "log information" ... "if trouble of said start processing unit is detected in said trouble monitoring operation occurring during a period from a turn-on of a system power supply, through activation, to a start-up of the application" (see claims 1 and 18 and similar language in claim 10). This feature is discussed on page 16 at lines 3-11 of the application. Klein does not teach or suggest such.

It is submitted that the invention of independent claims 1, 10 and 18 distinguishes over

the prior art and withdrawal of the rejection is requested.

The dependent claims depend from the above-discussed independent claims and are patentable over the prior art for the reasons discussed above. The dependent claims also recite additional features not taught or suggested by the prior art. For example, claim 2 calls for the trouble notification unit to be connected to a dedicated power unit constantly supplying power. Klein includes a battery powered management bus processor that sends messages but this processor does not acquire and send log information from the start processing unit. As a result, there is no trouble notification unit connected to a constant power supply in Klein. It is submitted that the dependent claims are independently patentable over the prior art.

It is submitted that the claims satisfy the requirements of 35 U.S.C. 112, para. 2. It is also submitted that claims 4-9 and 19-22 continue to be allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

If any further fees, other than and except for the issue fee, are necessary with respect to this paper, the U.S.P.T.O. is requested to obtain the same from deposit account number 19-3935.

Respectfully submitted,

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Date: _____

10/22/4

By: _____



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